

In the United States District Court  
For the Northern District of Texas  
Dallas Division

John T. Lamont and Preston  
Poulter  
Plaintiffs

v.

Dean Assaf et al.  
Defendants

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No. 3:21-cv-1176-K-BN

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**Plaintiffs' Exhibit List**

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Pursuant to Local Civil Rule 16.4 and the Court's Scheduling Order of May 30, 2023 (Dkt. 61), the parties submit the following list of exhibits for use at trial:

**Exhibit List**

PX	Description	OFF	OBJ	ADM
1	Video posted on February 28, 2021, on Defendant Assaf's channel			
2	Video posted on March 1, 2021, on Kundert's channel			
3	Video posted on March 1, 2021, on K-Log's channel			
4	Video posted on March 2, 2021, on K-Log's channel			
5	Video posted on Poulter's channel on March 10, 2023			

PX	Description	OFF	OBJ	ADM
6	Video posted on April 8, 2021, on Big Daddy's channel			
7	Video posted on April 25, 2021, on Kundert's channel			
8	Video posted on May 2, 2021, on Defendant Assaf's channel			
9	Lamont's Kickstarter campaign for The Demonatrix			
10	Notice of Cancellation of The Demonatrix			
11	Fein Letter to Assaf dated April 27, 2021			
12	Fein Letter to Assaf dated May 10, 2021			
13	Lamont's Kickstarter Campaign History			
14	Poulter's Kickstarter Campaign History			
15	Deposition of Victoria Kundert in <i>John T. Lamont and Preston Poulter v. Ethan Van Sciver et al.</i> , No. BUR-L-000689-22, General Court of Justice, Superior Court Division, Burlington County, New Jersey			
16	Santoro Estimate			
17	Net Reputation Estimate			

Plaintiffs reserve the right to offer or use any exhibit listed on any other party's exhibit list.

Respectfully submitted,

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Counsel for Plaintiffs

### Statement of Agreements and Objections

I have reviewed Plaintiffs' Exhibit List and the exhibits themselves. I agree or object to the admissibility of the exhibits as follows:

PX	Agree	Nature and Legal Basis for Objection (see Key below)
1		1, 3
2		1, 3, 4
3		1, 3, 4
4		1, 3, 4
5		1, 3, 4
6		1, 3, 4
7		1, 3, 4
8		1, 3, 4
9		1, 5

PX	Agree	Nature and Legal Basis for Objection (see Key below)
10		1, 5
11		1, 5
12		1, 5
13		1, 5
14		1, 5
15		1, 2, 6 (and hearsay within hearsay with respect to Van Sciver), 7, 8
16		1, 5, 9, 10, 11, 12
17		1, 5, 9, 10, 11, 12

**Objection Key:**

1. Inadmissible: Violation of FED. R. CIV. PRO. 26. Exhibit not shared with Defendant prior to the Close of Discovery “All discovery must be initiated in time to be completed by April 7, 2023”. Dkt 44 at 6 ¶ 1

2. Inadmissible under Federal Rules of Evidence 1002 - An original writing, recording, or photograph is required in order to prove its content unless these rules or a federal statute provides otherwise.
3. Inadmissible under FRCP Rule 106. Remainder of or Related Writings or Recorded Statements - If a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part — or any other writing or recorded statement — that in fairness ought to be considered at the same time.
4. Inadmissible under Federal Rules of Evidence Rule 901 – No custodian or other source of exhibit authentication.
5. Irrelevant: no nexus to alleged defamation.
6. Inadmissible hearsay under FRCP Rules 802, 801(c)(1): exhibit offered to prove the truth of the matter asserted in the statement.
7. In violation of Scheduling Order only “designation of portions of depositions” allowed, [Dkt 61 at 2 ¶ 3], not entire deposition.
8. Inadmissible, not qualified as exception to hearsay under Rule 804. Defendant not given opportunity to develop testimony by direct, cross-, or redirect examination.
9. Inadmissible under Rule 26(2)(B). No expert report provided, Defendant no chance to depose expert.
10. Inadmissible under Rule 26(2)(D). Name of Expert not disclosed.
11. Irrelevant - Does not address any Party in this action and is directed at a New Jersey lawsuit, Docket No: BUR-L-689-22.
12. In violation of the Initial Scheduling Order “must designate the expert witness(es) by February 7, 2023”. Dkt 44 at 5¶1.

Date:\_\_\_\_\_

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Dean Assaf

### **Certificate of Service**

I hereby certify that a true and correct copy of the foregoing was served on all parties through the Court's CM/ECF system, including those listed below, on August 14, 2023.

Dean Assaf  
Aliassaf959@gmail.com

Pro se defendant

/s/ *Jeremy M. Masten*

Jeremy M. Masten